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## News

King County Executive  
Dow Constantine

# Executive Constantine announces new process for police inquests

October 3, 2018

### Summary

**King County Executive Dow Constantine signed an Executive Order that made significant reforms to inquests convened after officer-involved deaths. The new inquest process is expected to be up and running by the end of first quarter 2019.**

### Story

Following last year's convening of a six-person King County Inquest Process and Review Committee to examine the public forum that investigates the circumstances surrounding law enforcement-involved deaths, Executive Constantine announced a series of reforms to make the process more transparent and meaningful.

An Executive Order signed on October 3 includes the following provisions:

- A pool of retired judges will serve as pro tem Inquest Administrators to oversee the process. King County Superior Court will provide a courtroom as required by state law.
- A Staff Attorney hired on a pro tem basis will assist. The King County Prosecuting Attorney's Office will no longer serve as a neutral facilitator. The Prosecuting Attorney's Office will continue to serve an administrative role, assembling the investigative files, and making the recommendation to the Executive to order an inquest, as required by County Charter.
- Officials from the investigating agency will offer testimony about the facts of the event. The King County Prosecuting Attorney's Office will no longer have the power to subpoena the responsible officer, and that officer cannot be compelled to testify.
- Separately, the chief law enforcement officer of the involved agency (or their designee) will testify about the department's use of force policy and training.
- State law requires a jury of no more than six, and no less than four. Jurors will be asked to determine the facts and circumstances surrounding the death. Instead of being asked whether the officer had reason to fear for their life, jurors will now be asked to determine whether the officer's actions complied with department training and policy.
- Involved parties may call expert witnesses such as medical examiner and ballistics experts.

"I believe the new Executive Order will provide families, law enforcement officers, and community members with greater transparency and accountability," said Executive Constantine. "I believe it will give the public more confidence in the inquest process, and it will give law enforcement and policy-makers greater ability to reflect on how training and policies come into play in often difficult situations, and how they may be improved."

State law authorizes elected coroners or appointed medical examiners to investigate the causes and circumstances of any death involving a member of law enforcement in the performance of their duties. The King County Charter requires a coroner's inquest, and King County Code gives the Executive control over the inquest process.

Since the 1970s, inquests have been conducted by District Court judges, who have traditionally accepted the delegation of the Executive's fact-finding duties in a coroner's inquest. Coroner's inquests have been held before a six-member jury who listen to testimony and then answer questions to determine the significant factual issues involved in the case.

In January 2018, Executive Constantine put all inquests on hold pending the review process. At that time, King County District Court informed the Executive that it would no longer accept new

requests to conduct inquests.

There are currently nine pending inquests:

- Isaiah Obet
- Damarius Butts
- Eugene Nelson
- Tommy Le
- Charleena Lyles
- Curtis Elroy Tade
- Robert J. Lightfeather
- Mitchell O. Nelson
- Marcelo A. Castellano

Executive Constantine's proposed 2019-2020 budget includes \$560,000 for an inquest process manager, a pool of pro tem judges, and staff attorneys.

#### Relevant links

- [Full text of Executive Order](#)
- [Summary of inquest reforms](#)
- [Matrix of inquest reforms](#)

#### Quotes



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*Dow Constantine, King County Executive*